

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AIRGAS, INC.

Plaintiff,

vs.

CRAVATH, SWAINE & MOORE, LLP

Defendant.

CIVIL ACTION NO: 10-612 (ECR)

STIPULATED AMENDED SCHEDULING ORDER

AND NOW, this 5th day of April, 2011, the parties, by their respective counsel, hereby stipulate and agree to submit the following pretrial schedule for consideration by the Court:

1. Pretrial Timetable:

- All fact discovery shall be completed by October 11, 2011.
- Protocol for Electronic Discovery: All electronic documents shall be produced as single page tiffs with multi-page OCR text in the same folders as the images. The parties will also produce Concordance Database load files (.dat file and .opt file). With respect to native files, the Nativefile, or Nativelink path, should appear in a field in the .dat file.
- Discovery Disputes: Plaintiff and Defendant have objected to certain discovery on the basis of attorney-client privilege and/or attorney work product and other grounds. Following an effort to resolve any disputes through the "meet and confer" process, the parties will engage in motion practice to resolve the matters that remain in dispute.
- Discovery Master: The parties agree it would be most productive to make a determination about the appointment of a discovery master after seeing the nature of the discovery disputes that arise and remain unresolved.
- Depositions: The parties do not anticipate commencing depositions until approximately mid-July 2011, after the privilege disputes have been resolved and documents have been exchanged

and reviewed. The following is a list of the individuals the parties intend to depose. This list is subject to change and may be revised or supplemented as discovery proceeds:

- **Airgas:**

1. Stephanie Binder
2. Ronald Cami
3. Stuart Gold
4. Keith Hallam
5. Kris Heinzelman
6. Joel Herold
7. Paul Huck
8. John McGlade
9. Allen Parker
10. John Stanley
11. Clyde Tinnen
12. James Woolery
13. Representative from Air Products' financial advisor

- **Cravath:**

1. Leslie Graff
2. Peter McCausland
3. Joseph Sullivan
4. Robert Young
5. John C. van Roden Jr.
6. John P. Clancey
7. James W. Hovey
8. Robert L. Lumpkins
9. Ted B. Miller Jr.
10. Paula A. Sneed
11. David M. Stout
12. Lee M. Thomas
13. Ellen C. Wolf

- Expert Discovery – Expert Reports and depositions of experts, to commence after close of fact discovery and to be completed by the end of February 2012.
- Dispositive motions are due March 2, 2012.
- Plaintiff's pre-trial memorandum is due April 2, 2012.
- Defendant's pre-trial memorandum is due April 23, 2012.
- Exchange of exhibits is due April 30, 2012.
- All motions in limine are due May 14, 2012.
- After all dispositive motions have been decided or the time for filing dispositive motions has elapsed, the parties will be given notice of a Final Pre-Trial Conference.

So Approved :

4/8/11.

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John C. van Roden Jr.